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OCT 04 2004

PATENT APPLICATION  
Docket No. 15436.249.26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

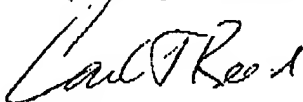
In re application of		)
		)
	Kevin Zhang et al.	)
		) Art Unit
Serial No.:	09/941,474	) 2874
		)
Filed:	August 28, 2001	)
		)
Confirmation No.:	8102	)
		)
For:	METHOD AND APPARATUS FOR	)
	PRECISION TUNING AN OPTICAL	)
	FILTER USING A BALL-END JOINT	)
		)
Examiner:	Kevin S. Wood	)

**CERTIFICATE OF TRANSMISSION BY FACSIMILE**

I hereby certify that the following documents are being facsimile transmitted to United States Patent and Trademark Office at Fax No. 703.872.9306 on the 4<sup>th</sup> day of October 2004.

- Transmittal Letter (3 pages)
- Amendment to Office Action (16 pages)
- Petition for an Extension of Time (2 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$430.00

Respectfully submitted,



CARL T. REED  
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CTR:dfw  
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PATENT APPLICATION  
Docket No. 15436.249.26

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
Kevin Zhang et al.

Serial No.: 09/941,474

Filed: August 28, 2001

Confirmation No.: 8102

For: METHOD AND APPARATUS FOR  
PRECISION TUNING AN OPTICAL  
FILTER USING A BALL-END JOINT

Examiner: Kevin S. Wood

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### TRANSMITTAL FOR AMENDMENT TO OFFICE ACTION DATED MAY 3, 2004

Sir:

Transmitted herewith is an Amendment to Office Action for entry in the above-identified application.

Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.

To secure the approval of the Examiner for proposed amendments to the drawings, enclosed are the following:

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JAMES B. BRADY

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Art Unit  
2874

October 4, 2004  
Page 2

- \_\_\_ Letter to the Official Draftsperson;
- \_\_\_ Set of \_\_\_\_\_ ( ) sheets of drawings containing Figures \_\_\_\_\_ including the proposed amendments therein; and
- \_\_\_ A duplicate set of the \_\_\_\_\_ ( ) sheets of drawings with the changes therein highlighted in red.
- X To render the transmitted Amendment to Final Office Action timely filed enclosed are the following:
- X Petition for a two-Month Extension of Time; and
- X Form PTO-2038 submitting Credit Card Payment in the amount of \$430.00 to cover the fee for the extension of time.
- X A Certificate of Facsimile.
- \_\_\_ No other additional fee is required.

The fee has been calculated as follows:

			SMALL ENTITY		LARGE ENTITY	
CLAIMS REMAINING AFTER	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'T'L FEE	RATE	ADD'T'L FEE
TOTAL	MINUS	=	X		X	
INDEPENDENT	MINUS	=	X		X	
1 <sup>st</sup> PRESENTATION OF MULTIPLE DEPENDENT CLAIM			+ _____		+ _____	
			TOTAL		TOTAL	

- \_\_\_ Form PTO-2038 submitting Credit Card Payment in the amount of \$\_\_\_ is enclosed to cover the additional claim fee.
- \_\_\_ Please charge my Deposit Account No. 23-3178 in the amount of \_\_\_\_\_.
- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.
- X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

October 4, 2004  
Page 3

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X Any patent application processing fees under 37 CFR 1.17.

— A duplicate copy of this transmittal letter is attached.

Dated this 4<sup>th</sup> day of October 2004.

Respectfully submitted,



CARL T. REED  
Attorney for Applicant  
Registration No. 45,454  
Customer No. 022913  
Telephone No. 801.533.9800

CTR:dfw  
DEW0000011941V001

Application No. 09/941,474  
Amendment dated October 4, 2004  
Reply to Office Action mailed May 3, 2004

PATENT APPLICATION  
Docket No. 15436.249.26

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TUNING AN OPTICAL FILTER USING A )  
BALL-END JOINT )  
 )  
Examiner: Kevin S. Wood )

AMENDMENT TO OFFICE ACTION MAILED MAY 3, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed May 3, 2004, please amend the above-identified patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begins on page 11 of this paper.